

IFW

## AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Howard D. Rubenstein

Docket No.

44149-0136

Serial No.  
10/612,767

JUL

Filing Date  
06/07/2003Examiner  
Dirk WrightGroup Art Unit  
3681

Invention: CONTINUOUS VARIABLE TRANSMISSION

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	9 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2814
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.


  
Signature

Dated: July 1, 2004

Albin H. Gess  
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I certify that this document and fee is being deposited on July 1, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

cc:

James Lee  
Typed or Printed Name of Person Mailing Correspondence



Patent  
44149-0136

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Howard D. Rubenstein

Serial No.: 10/612,767

Filed: July 2, 2003

For: CONTINUOUSLY VARIABLE  
TRANSMISSION

Patent Examiner: Wright, Dirk

Group Art Unit: 3681

July 1, 2004

Irvine, California 92614

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action of June 8, 2004 requiring an election between two species identified as planetary transmission ( claims 1-7) and non-planetary transmission (claims 8-16), Applicant elects claims 8-16 with traverse.

Examiner contends that claims 8-16 are directed to a non-planetary transmission. Claim 8 specifically calls for "a plurality of planet gears each disposed about one of said plurality of crankshaft and driven by said crankshaft ...".

Claims 1-7 and claims 8-16 are directed to different species of planetary transmissions. Apparently, the restriction requirement is also grounded on the different species.



Patent  
44149-0136

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 1, 2004.

By: James Lee

Signature

Dated: July 1, 2004

Respectfully submitted,

**SNELL & WILMER L.L.P.**

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